

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:14CR79 -RLV-DCK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOEY JONES

Defendant.

**NOTICE OF POSSIBLE
UPWARD DEPARTURE**

THIS MATTER IS BEFORE THE COURT pursuant to Rule 32 of the Federal Rules of Criminal Procedure. Rule 32(h) requires that,

[b]efore the court may depart from the applicable sentencing range on a ground not identified for departure either in the presentence report or in a party's prehearing submission, the court must give the parties reasonable notice that it is contemplating such a departure. The notice must specify any ground on which the court is contemplating a departure.

See Fed. R. Crim. Pro. 32(h). The Court **HEREBY NOTIFIES** the parties that it is contemplating an upward departure in this matter based on "the nature and circumstances of the crimes committed by the defendants." *See* United States Sentencing Commission, Guidelines Manual, §4A1.3(a)(4) (Nov. 2015).

Signed: April 29, 2016



Richard L. Voorhees
United States District Judge

